

## § 10.219

must be retaken and the date by which the examination must be completed.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 81-059, 54 FR 135, Jan. 4, 1989; CGD 91-002, 58 FR 15238, Mar. 19, 1993; CGD 94-029, 61 FR 47064, Sept. 6, 1996; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999]

### § 10.219 Issuance of duplicate license or certificate of registry.

(a) Whenever a person to whom a license or certificate of registry has been issued loses the license or certificate, that person shall report the loss to any OCMI. A duplicate license or certificate may be issued by an OCMI listed in the note following § 1.05(b) of this part after receiving an application with an affidavit describing the circumstances of the loss from the applicant and verification of the license or certificate record from the Regional Examination Center where it was issued or from the Commandant. The duplicate will be prepared in the same format and wording as the license or certificate being replaced. A duplicate license is issued for the unexpired term of the lost license. Duplicate licenses and certificates of registry bear the following statement: "This license (or certificate) replaces License (or Certificate) Number \_\_\_\_ issued at \_\_\_\_ on the above date."

(b) If a person loses a license or certificate of registry by shipwreck or other casualty, a reissue of that license or certificate or registry will be supplied free of charge. Other casualties include any damage to a ship caused by collision, explosion, tornado, wreck, flooding, beaching, grounding, or fire.

(c) If a person loses a license or certificate of registry otherwise than by shipwreck or other casualty and applies for a reissue, the appropriate fee set out in table 10.109 in § 10.109 is required.

[CGD 81-059, 54 FR 135, Jan. 4, 1989; as amended by CGD 91-002, 58 FR 15238, Mar. 19, 1993; USCG-1997-2799, 64 FR 42815, Aug. 5, 1999]

### § 10.221 Parting with license.

The holder of a license shall not voluntarily part with it or place it beyond his or her personal control by pledging or depositing it with any other person for any purpose. If the holder violates this section, he or she may be pro-

## 46 CFR Ch. I (10-1-02 Edition)

ceeded against in accordance with the provisions of part 5 of this chapter, looking to a suspension or revocation of the license.

### § 10.223 Suspension and revocation of licenses.

(a) When the license of any individual is revoked, it is no longer valid for any purpose and any license of the same type subsequently requested must be applied for as an original license, except as to number of issue.

(b) No person whose license is suspended without probation or has been revoked may be issued another license without approval of the Commandant.

(c) When a license which is about to expire is suspended, the renewal of such license will be withheld until expiration of the period of suspension.

(d) An applicant for renewal or return of a license as master or mate (pilot) of towing vessels whose most recent license was suspended or revoked by an administrative law judge for incompetence shall complete the practical demonstration under paragraph (c)(6)(i) of § 10.209.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987 (interim) and CGD 81-059, 54 FR 132, Jan. 4, 1989 (final), as amended by USCG-1999-6224, 66 FR 20936, Apr. 26, 2001]

## Subpart C—Training Schools with Approved Courses

### § 10.301 Applicability.

This subpart prescribes the general requirements applicable to all approved courses which may be accepted in lieu of service experience or examination required by the Coast Guard, or which satisfy course completion requirements.

### § 10.302 Course approval.

(a) The Coast Guard approves courses satisfying regulatory requirements and those that substitute for a Coast Guard examination or a portion of a sea service requirement. The owner or operator of a training school desiring to have a course approved by the Coast Guard shall submit a written request to the Commanding Officer, National Maritime Center, NMC-4B, 4200 Wilson Boulevard, Suite 510, Arlington, VA 22203-1804, that contains:

## Coast Guard, DOT

## § 10.303

(1) A list of the curriculum including a description of and the number of classroom hours required in each subject;

(2) A description of the facility and equipment;

(3) A list of instructors including the experience, background, and the qualifications of each; and

(4) Specify the Coast Guard training requirements the course is intended to satisfy.

(b) The Coast Guard notifies each applicant in writing whether or not an approval is granted. If a request for approval is denied, the Coast Guard informs the applicant the reasons for the denial and describes what corrections are required for an approval.

(c) Unless sooner surrendered, suspended or withdrawn, an approval for a course at a training school that meets Coast Guard standards expires 24 months after the month in which it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in the ownership of the school for which it was issued, whichever occurs first.

(d) If the owner or operator of a training school desires to have a course approval renewed, they shall submit a written request to the address listed in paragraph (a) of this section. For the request to be approved, the Coast Guard must be satisfied that the content and quality of instruction remain satisfactory. Unless sooner surrendered, suspended or withdrawn, a renewal of the approval expires 60 months after the month it is issued, when the school closes, when the school gives notice that it will no longer offer the course, or on the date of any change in ownership of the school for which it is issued, whichever occurs first.

(e) *Suspension of approval.* If the Coast Guard determines that a specific course does not comply with the provisions of 46 CFR parts 10, 12, 13 or 15, or the requirements specified in the course approval; or substantially deviates from the course curriculum package as submitted for approval; or if the course is being presented in a manner that is insufficient to achieve learning objectives; the cognizant OCMI may

suspend the approval, may require the holder to surrender the certificate of approval, if any, and may direct the holder to cease claiming the course is Coast Guard approved. The Cognizant OCMI will notify the approval holder in writing of its intention to suspend the approval and the reasons for suspension. If the approval holder fails to correct the reasons for suspension, the course will be suspended and the matter referred to the Commanding Officer, National Maritime Center. The Commanding Officer, National Maritime Center, will notify the approval holder that the specific course fails to meet applicable requirements, and explain how those deficiencies can be corrected. The Commanding Officer, National Maritime Center, may grant the approval holder up to 60 days in which to correct the deficiencies.

(f) *Withdrawal of approval.* (1) The Commanding Officer, National Maritime Center, may withdraw approval for any course when the approval holder fails to correct the deficiency(ies) of a suspended course within a time period allowed under paragraph (e) of this section.

(2) The Commanding Officer, National Maritime Center, may withdraw approval of any or all courses by an approval holder upon a determination that the approval holder has demonstrated a pattern or history of:

(i) Failing to comply with the applicable regulations or the requirements of course approvals;

(ii) Substantial deviations from their approved course curricula; or

(iii) Presenting courses in a manner that is insufficient to achieve learning objectives.

(g) *Appeals of suspension or withdrawal of approval.* Anyone directly affected by a decision to suspend or withdraw an approval may appeal the decision to the Commandant via the Commanding Officer, National Maritime Center, as provided in § 1.03-45 of this chapter.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95-072, 60 FR 50460, Sept. 29, 1995; USCG-1998-4442, 63 FR 52189, Sept. 30, 1998; USCG-1998-3824, 64 FR 4984, Feb. 2, 1999]

### § 10.303 General standards.

Each course with an approved course must: